

## **Resolution #TC-3006**

BE IT HEREBY RESOLVED, the Transportation Commission's Special and Regular Meeting Minutes for July 18 & 19, 2012 are hereby approved as published in the official agenda of the August 15 & 16, 2012 Meeting.

### **Transportation Commission of Colorado Regular Meeting Minutes**

**Chairman Steve Parker convened the meeting at 9:30 a.m. in the auditorium of the headquarters building in Denver, Colorado.**

PRESENT WERE: Steve Parker, Chairman, District 8  
Gary Reiff, Vice Chairman, District 3  
Trey Rogers, District 1  
Ed Peterson, District 2  
Heather Barry, District 4  
Kathy Gilliland, District 5  
Kathy Connell, District 6  
Doug Aden, District 7  
Gilbert Ortiz, Sr., District 10  
Steven Hofmeister, District 11

EXCUSED: Les Gruen, District 9

ALSO PRESENT: Don Hunt, Executive Director  
Ben Stein, CFO  
Tim Harris, Chief Engineer  
Heidi Bimmerle, Director of Admin & Human Resources  
Debra Perkins-Smith, Director Division of Transportation Development  
Mark Imhoff, Division of Transit and Rail Director  
Casey Tighe, Audit Director  
Scott McDaniel, Staff Services Director  
Tony DeVito, Region 1 Transportation Director  
Tom Wrona, Region 2 Transportation Director  
Dave Eller, Region 3 Transportation Director  
Johnny Olson, Region 4 Transportation Director  
Kerrie Neet, Region 5 Transportation Director  
Reza Akhavan, Region 6 Transportation Director  
Harry Morrow, Chief Transportation Counsel  
John Cater, FHWA  
Vince Rogalski, Statewide Transportation Advisory Committee (STAC)

AND: Other staff members, organization representatives,

the public and the news media

An electronic recording of the meeting was made and filed with supporting documents in the Transportation Commission office.

### **Audience Participation**

Chairman Parker introduced Joey Kiley of Ports to Plains who spoke about an upcoming ribbon cutting on August 2, 2012 at 11:30 a.m. He reported that the event was for the grand opening of the of Highway 287 project completing the final leg of the route from Limon, Colorado to the Oklahoma border. Mr. Kiley thanked the Department and the Commission for staying the course on the project. He confirmed that at a recent regional Ports to Plains meeting they saw presentations on the connections between economic development and the transportation system and that these presentations could be found at [ptpblog.com](http://ptpblog.com).

Dan Grunig of Bicycle Colorado stated that the organization was involved in promoting cycling and bicycle safety across the state of Colorado and he stated that he wanted to comment on the recent passage of MAP21. He reported that the new bill had cut the new transportation alternatives program by 33% and stated that the program holds funding for transportation enhancements, safe routes to school and recreation trails which had previously been spent on bicycle and pedestrian funding. He mentioned that the cuts to these programs were extensive. He declared that he wanted to encourage CDOT to keep doing what they're doing and keep the programs rolling as a lot of local governments and citizens around the state depend on the funding. He offered praise to CDOT's office of Public Relations and the staff at Region 3 regarding the efforts around communications for bike events around the Highway 24 sinkhole and the help provided for keeping people informed to be able to stay registered in the events that have been affected by the sinkhole. He mentioned that he was hopeful that it would be repaired in time for Pro Cycling challenge professional race. Chairman Parker thanked Dan for his comments and mentioned that as funding challenges increase, there will be added pressure for the Cycling Community to participate in meeting the funding shortfalls.

### **Individual Commissioner Comments**

Commissioner Gilliland attended the WASHTO Conference and mentioned that it was a great conference and declared that staff did a wonderful job. She received many positive comments from people hailing from all over the western states. She mentioned that the sessions were very informative. She stated that speaker, Federico Pena mentioned that credibility is so important and that organizations need to be credible in their conversations regarding projects and do what they say they are going to do. She stated that she was pleased to mention that the fires in all the different areas of the state are finally under control and that there are still fire bans in place.

Commissioner Aden reported that he had attended a recent RFTA meeting in the Roaring Fork Valley organized by CASTA. He declared that RFTA was working on a BRT project between Glenwood Springs and Aspen and that the project has received

lots of publicity and visits. He stated that they had been very complimentary of Region 3 and the cooperation received from staff. He stated that it was a very successful project and confirmed that it was a terrific example of maximizing a corridor. He confirmed that all of the stations were located within the CDOT right-of-way and RFTA was appreciative of not having to purchase a lot of extra right-of-way. He offered congratulations on the 287 project in Region 2 and Region 1 to all of the staff that had worked on the project and also congratulated the staff involved with the US36 project. He confirmed that he was looking forward to the ribbon cutting.

Commissioner Barry mentioned that she was looking forward to the US36 Ribbon Cutting Ceremony and offered kudos to the staff for all of the work that has been done stating that the project has been a regional lift. She thanked all of the staff and commended Reza Akhavan and his Region 6 team for the work they had done on the project.

Commissioner Peterson reported that he had attended the C470 coalition meeting and mentioned that there would be an electronic town hall meeting where 200,000 residents would be called from the Denver Metro area with 4 separate opportunities to speak with constituents. He confirmed that he would be hosting the first session with Jefferson County Commissioner Don Rosier.

Commissioner Ortiz spoke about the Colorado Springs fire and how the Pueblo firefighters responded to a call for help stating that within 2 hours the Pueblo firefighters were on the front line. He declared that the Pueblo community donated lots of needed goods and he confirmed that he had delivered 4 truckloads of goods to Colorado Springs.

Commissioner Connell mentioned that the PR and communication activity on the Highway 24 sink hole had been terrific and it will help CDOT with its credibility in the public eye. She thanked CDOT staff for the great job they are doing.

Commissioner Parker stated that he had recently had taken a ride in northwest Colorado and passed many small construction projects. He stated that the Region 3 staff had been very courteous to the riders giving them room on the road and it was greatly appreciated by the riders. He thanked Commissioner Connell for her hospitality when the ride traveled through Steamboat Springs.

### **Executive Director's Report:**

Director Hunt confirmed that the WASHTO conference held in Colorado Springs July 7<sup>th</sup> to 11<sup>th</sup> had been incredibly successful and thanked Stacey Stegman, Tim Harris and all staff volunteers for the hard work they had done while hosting the conference. He reported that the other Executive Directors felt that they would never be able to follow up on the success that CDOT had delivered.

He reported that while touring southeastern Colorado with members of the Governor's Cabinet, he had gotten word of the worsening Waldo Canyon fire in Colorado Springs and that an evacuation of 32,000 people had begun. He mentioned that CDOT staff and the State Patrol had acted quickly by closing southbound I-25 to aid the

evacuation. He confirmed that these difficult decisions are made by staff every day and he declared that he had confirmed with the Governor's office that the right call had been made. He stated that he had toured the burn area and that CDOT staff will be fighting mud slides in the area for years to come and stated that it shouldn't be surprising if there are additional funding requests for the area.

Mr. Hunt confirmed that Heidi Bimmerle will be the 2013 Deputy Director and that Herman Stockinger had done a great job in 2012 stating that Herman would continue his work on TBD Colorado.

In a TBD Colorado Update, the Director mentioned that:

Regional Summits were held in June

- Several Hundred people attended 6 summits
- Encouraged that people understand where the money comes from
- There have been no tax increases in 20 years

Questions Asked:

- Should Colorado's 9,000 mile highway should be adequately maintained even if it costs and additional \$150M a year?
  - 96 % said yes
- Should passing lanes, shoulders and other safety upgrades be funded for rural Colorado at a cost of \$100M a year?
  - 60% said yes
- Should Interregional bus transit systems to connect areas of the state at a cost of \$15M be implemented?
  - 47% said yes
- Should measures be taken to reduce roadway congestion which would cost up to \$500M per year
  - 32% said yes
  - Response related to the size of the task and the fact that congestion relief is more complicated than adding additional lanes.

### **Chief Engineer Report**

Chief Engineer Tim Harris began by stating that he wanted to comment about CDOT's response to wild fires throughout the state to include: the Hyde Park fire; the Waldo Canyon fire, Region 3 fires, and Region 5 fires near Durango. He confirmed that whenever these events get started CDOT staff members are right in the middle of it working with emergency management people by providing all types of support. He declared that more money may be needed for costs after the events such as increasing pipe diameters, installing grates, and all kinds of erosion control. He stated that he was happy to brag about the staff and how well they had responded to all of the emergencies.

### **High Performance Transportation Enterprise (HPTE) Director's Report**

Mike Cheroutes reported that there were a few items he wanted to highlight:

HPTE Board met at the E470 Facility on Wednesday, July 18, 2012

- Toured the back office operation
- how they are collecting tolls
- how they are managing collections for the I-25 Hotlanes
- potential for them to provide those services for US 36
- Heard about new billing processes being used
- Processes appear to be well designed so that large bills and fines aren't accumulated
- The Enterprise board will be going through a rule making process where they will be looking to mirror the business processes being used by E-470 on the I-25 Hotlanes

#### US 36 Phase II:

- Released RFP extensive documents for the project
- Engaging with the 3 candidates
- Hear what their input is on the HPTE plans are for moving forward
- What their issues they may have with the process
- Issuance of a final RFP is several months in the future

#### Other Projects

- Working with the Region 6 project team on the I-25 interim managed lanes north of US 36
- Ideas for use of the segment as a possible way to extend the lanes further north

### **FHWA Division Administrator Report**

John Cater stated that the WASHTO conference held in July was extremely well done and congratulated all of the CDOT Staff. He commented that he needed support while at the conference and confirmed that CDOT staff members Mindy Crane, Lisa Streisfield and Michelle Malloy had stepped up and helped in a very professional manner. He stated that the conference was an excellent way of showing off the department and was very successful and well received by the industry attendees.

He gave updates on the following items:

#### External Audits on the US DOT

- the number of inactive projects needs to be reduced
- 30 to 40 inactive projects in Colorado
- The numbers need to decrease by the end of August
- Projects are usually local projects
- the best way to take care of the inactive status is for the local governments to send a bill on a project and for CDOT to pay it which then makes the project active
- top priority over the next 6 weeks

#### External Reviews

- Review of the TIGER program,
- OIG review of the Highway Safety Program
- Review of the Planning process

- Insuring what we are doing is appropriate

#### Ground Breaking on US 36

- Governor Hickenlooper will be in attendance
- Victor Mendez the FHWA Administrator will be in attendance
- Exciting project
- Different sources of money being used
- there will be a lot of oversight
- it will be a showcase of Colorado's abilities and skills

#### Map21 Bill

- 2 years of funding
- being called a transformative bill and changes many programs
- learning more about it and how to implement
- show the public the success we can have to deliver the program
- and show that with more funding we could do more

#### **STAC Report**

Vince Rogalski declared that the STAC had met on Friday, July 13, 2012 and reported on the following topics:

#### **Potential Acceleration of Program Delivery –**

Tim Harris

- CDOT has a goal to get money out more quickly
- Overall goal is to increase the current average \$450 M per year to \$750 M in the next 2 or 3 years.

#### **Federal and State Updates**

- STAC received a letter from the Senate Chamber regarding Joint Senate Resolution, 12037
- encourages everyone involved in transportation planning or funding to work on increasing funding for transportation, making efforts to develop and support innovative and effective means to generate additional, adequate, sustainable, and dedicated revenues for transportation

#### **Legislative Update**

Kurt Morrison

- In the newly-signed MAP-21 bill, funding levels stay flat for all the states, plus a small increase for inflation.
- Over two years, roughly \$18 B will be transferred into the program
- Ninety programs administered by USDOT - each with its own statutory requirements –
- Transportation Enhancements became the “Transportation Alternatives” program

#### **HPTE Update**

Mike Cheroutes

- By September of 2015, final cost and funding plans will be announced for US 36.
- The North I-15 TIGER grant was received earlier this year.

- Region 6 has taken an aggressive approach to completing that project, which will create new capacity on I-25 from US 36 to 120<sup>th</sup> Street.
- HPTE will help out to the extent possible.
- The I-70 W corridor is in procurement for a developer to come in and work with CDOT on potential solutions consistent with the ROD.
- HPTE and Region 6 will be turning attention to the I-70 E corridor

## **Guiding Principles for Statewide Transportation Planning**

Sandi Kohrs

DTD used Policy Directives 13 and 14 for previous plans. PD 13 concerned operating principles and PD 14 had performance goals. We wanted to have a PD directed to providing guidance for the plan, starting with the planning principles:

- |                       |  |
|-----------------------|--|
| • Partnerships        | • Transparency and Accountability              |
| • Financial planning  | • Multi Modal integration                      |
| • Safety and Security | • Mobility and System Efficiency               |
| • Economic Vitality   | • Needs Identification and Assessment          |
| • Freight             | • Environmental Stewardship and Sustainability |

## **State Transportation Planning Rules**

Michelle Scheuerman

STAC members should have received notice of revision to the Statewide Transportation Planning Rules –

Comments are due by September 12<sup>th</sup>.

Public hearing will be in the CDOT auditorium September 14, 2012

Commission on schedule to adopt the rules on October 18, 2012

## **Transit Guiding Principles**

Mark Imhoff

- The Transit and Rail Advisory Committee (TRAC)
- Next week the TRAC will have a joint workshop with the Commission's Intermodal Committee to present these principles:
 

• Safety and Accessibility	• Transit Connectivity and Expansion
• Modality	• Relationships with Local Entities
• System and Service Preservation	• State and Federal Presence and Advocacy
- DTR is continuing to put the full court press on our backlog of transit grants
- kicked off an effort to develop an entirely new transit grant module

## **Committee Reports**

## **EFFICIENCY AND ACCOUNTABILITY COMMITTEE**

Commissioner Gilliland gave the following report on the June 21, 2012 meeting of the Committee:

- Maribeth Lewis-Baker, the Committee's Deputy Chair, discussed the Committee's succession planning initiative and distributed a copy of the succession planning memorandum and retirement eligibility forecast data. A number of suggestions were made, and Ms. Lewis-Baker agreed to draft a revision to the memorandum and submit the changes at the July meeting for review and approval.
- John Vetterling, a Committee member from CDOT's Division of Audit, addressed the Committee on the Pre-Contract Award Authority issue regarding ordering and purchasing capital equipment such as buses. He noted that the cost of buses can increase significantly if there are delays between when grantees are notified of their award and the processing of the grant contract. The Division of Transit and Rail along with the Division of Audit are actively working with the State's Controller's office to improve this process.
- Committee Chairman Jeff Keller led a discussion about the Committee's Work Plan for the balance of the year. There was considerable discussion about various issues that the Committee should address. Mr. Keller noted that the Committee's Financial Accountability Task Force will reconvene soon to analyze CDOT fixed and variable costs. Louie Lucero, Committee member from CDOT's Office of Financial Management and Budget, was assigned the task of collecting CDOT financial data to assist the Task Force's work
- The Committee adjourned at 4:05 p.m.

### **DBE COMMITTEE**

Commissioner Barry delivered the following report on the July 18, 2012 meeting of the DBE Committee

- Heidi Bimmerle will be presenting the resolution for the proposed overall DBE goal for federal fiscal years 2013 – 2015, which CDOT has established at 10.25%. The goal will be submitted to FHWA on August 1<sup>st</sup>.
- Our current DBE participation on state and federal construction contracts is 13.8% which exceeds the goal of 13.29%
- FHWA has approved the application of the restricted projects program to federal funds, which will likely begin later this year.
- CDOT is launching its new partnership with the Small Business Development Centers next Tuesday at the Denver SBDC at 4:00pm.

### **TRANSIT AND INTERMODAL COMMITTEE**

Commissioner Reiff delivered the following report on the Wednesday, July 18, 2012 joint meeting of the T & I Committee and the TRAC:



- Mark Imhoff briefed us on developments in DTR, including the fact they'll soon be issuing a two-year call for FASTER transit projects, 2014/15. The state also has been awarded four FTA grants to assist with transportation for veterans.
- Debra Perkins-Smith reported that the CDOT truck parking guide has been well received and has been expanded to include I-70, I-25 and I-76. DTD is proceeding with an August call for Safe Routes to School projects, but they're doing so without offering an estimate of funding, since there are changes being brought about by MAP-21. And, DTD is proceeding with work on the Statewide Transportation Plan.
- Finally, we had a productive meeting with the Transit & Rail Advisory Committee TRAC. Three members of that committee presented a brief report on their accomplishments since they started meeting in January 2011. Then they proposed six "Transit Guiding Principles" to guide the development of the Statewide Transit Plan. The Transit & Intermodal Committee appreciates all the thought and effort that was put into the proposed Guiding Principles, and we had a lively and constructive discussion. We agreed with many of the points brought out in their principles, but also felt that as a whole they were perhaps too prescriptive in places, and too broad in others. The consensus was that some goals were unachievable and unrealistic, and that the transit guiding principles needed to be more integrated with those for the overall transportation system. The TRAC appreciated our input and agreed to rework the principles for future consideration.

### **Act on Consent Agenda**

Chairman Parker stated that a motion would be entertained on the Consent Agenda and Commissioner Aden moved for approval of the Consent Agenda. Commissioner Connell seconded the motion and on a vote of the Commission, the Consent Agenda was unanimously approved.

### **Approve the Special & Regular Meeting Minutes of June 19 & 20, 2012**

#### **Resolution #TC-3000**

BE IT HEREBY RESOLVED, that the Transportation Commission's Special and Regular Meeting Minutes of are hereby approved as published in the official agenda of the meeting Agenda.

### **Approval of Resolution to approve the STIP Policy Amendment Number 13 for the FY12-FY17 STIP**

**Resolution #TC-3001**

**Resolution to Approve STIP Policy Amendment Package for Amendment #13**

**Approved by the Transportation Commission on: July 19, 2012**

WHEREAS, the Colorado Transportation Commission has statutory authority pursuant to 43-1-106, C.R.S. to approve, accept, and amend various planning documents resulting from Section 135 Title 23 of the USC, and 43-1-1101 through 1105 C.R.S.; and

WHEREAS, the Commission adopted the 2012 – 2017 Statewide Transportation Improvement Program (STIP) in May, 2011; and

WHEREAS, the STIP is occasionally amended due to significant changes in project scope or projects need to be programmed in or out of the first four years of the STIP, thereby requiring a policy amendment to the STIP; and


WHEREAS, the Section 450 Title 23 of the CFR requires a public process be implemented for review and comment on proposed policy amendments, as well as Transportation Commission approval of said amendments; and

WHEREAS, the public process for the policy amendments set before the Commission for Amendment #13 was provided from June 12 through July 18, 2012, and no comments were received; and

WHEREAS, it is requested that the Transportation Commission approve these policy amendments to the STIP, which are detailed in the attached table, and direct staff to forward this approval to the Federal Highway Administration and the Federal Transit Administration for concurrence.

NOW, THEREFORE, BE IT RESOLVED, the attached STIP Policy Amendment package for Amendment #13 be adopted and forwarded to the Federal Highway Administration for concurrence.

BE IT FURTHER RESOLVED, after said concurrence is received from the Federal Highway Administration, staff from the CDOT Office of Financial Management and Budget will finalize the policy amendments in the STIP Database.

  
Herman Stockinger, Secretary  
Transportation Commission of Colorado

8-3-12  
Date

## **Discuss and Act on the 2nd Budget Supplement**

Laurie Freedle displayed a spreadsheet with data on the topics detailed below:

- FY '13 Increased Revenue Projections
- FY '13 "top off" to Contingency
- FY '12 Snow & Ice Balance
- FY '12 Roll-Forward
- FY '12 Revenues above Budgeted Amount
- FY '12 Federal Redistribution
- FY'12 TCCRF Reduction (leaving balance at \$19,533,223)
- Total 2012-2013 Sources
- FY '14 Advancement of Surface Treatment Funds
- Total Sources including Advancement of FY14 Surface Treatment

There was discussion on the information and it was mentioned that more discussion would follow at the August meetings of the Commission.

Laurie mentioned that there were some Walk-On items for the budget supplement and displayed a PowerPoint with the following information:

- \$1,800,000 Confirmation item from Contingency to Region 3 for U.S. 24 between Minturn and Leadville Emergency repair of sinkhole.
- Correction to the 2S13 TCCRF item:  
*Highways for Life - Pecos Street over I-70*  
Was \$3,760,000 – Now \$4,380,000 (additional \$620,000)  
per official FHWA allocation memo.  
(The revenue is credited to the TCCRF and then transferred to the Bridge Enterprise for a net zero impact to the TCCRF.)

Commissioner Gilliland asked if there would be any Federal dollars that would come into CDOT regarding the many natural disasters in the State to off-set the cost of the repair of damaged highways and cleanup. John Cater confirmed that this would be the case but, couldn't offer a time frame for the reimbursements.

Commissioner Aden made a motion for approval of the Budget Supplement. Commissioner Connell seconded the motion. On a vote of the Commission, the Budget Supplement was unanimously approved.

## **Resolution #TC-3002**

### **Approval of the 2<sup>nd</sup> Budget Supplement**

BE IT RESOLVED THAT, the 2<sup>nd</sup> Supplement to the Fiscal Year 2011-2012 Budget be approved.

## **Discuss and Act on the Resolution to approve the Suspension of Unsolicited Proposals**

Ben Stein declared that the HPTE Board had adopted a moratorium on receipt of unsolicited proposals for the I-270, I-70 East and I-25 North corridors and that they had requested for the Transportation Commission to pass a mirror Resolution to preserve HPTE's efforts to initiate procurements under the "Solicited Proposals" section of the Project Proposal Guidelines and requested approval of the Resolution if the Commissioners did not have any questions.

Commissioner Rogers made a motion for approval of the item. Commissioner Peterson seconded the motion. On a vote of the Commission, the following Resolution was unanimously approved.

**Resolution #TC- 3003**

**Adopting a Moratorium on Unsolicited Proposals for I-270, I-70 East and I-25 North**

**Approved by the Transportation Commission on: July 19, 2012**

WHEREAS, the Transportation Commission is responsible, pursuant to C.R.S. 43-1-106(8), for formulating the general policy of the Colorado Department of Transportation (CDOT) and for promulgating all department budgets; and

WHEREAS, on February 16, 2012 the Transportation Commission adopted Resolution Number TC-2064 which approved the use of the Colorado High Performance Transportation Enterprise Project Proposal Guidelines in considering unsolicited public-private partnership proposals submitted to CDOT; and

WHEREAS, at its June 20, 2012 meeting the Colorado High Performance Transportation Enterprise (HPTE) Board agreed to not accept unsolicited proposals for I-270, I-70 East and I-25 North as the HPTE was expecting to initiate procurements in the reasonably near future for these corridors under the "Solicited Proposals" section of its Project Proposal Guidelines; and

WHEREAS, the Transportation Commission wishes to adopt a moratorium on receipt of unsolicited proposals for the same corridors as HPTE and preserve HPTE's efforts to initiate procurements under the "Solicited Proposals" section of the Project Proposal Guidelines.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby adopts a moratorium on receipt of unsolicited proposals for I-270, I-70 East and I-25 North until further notice or until HPTE has initiated its procurement on these corridors.

Herman J. Stockinger  
Herman Stockinger, Secretary  
Transportation Commission of Colorado

8-3-12  
Date

**Discuss and Act on the Resolution for approval of the overall DBE Goal**

Heidi Bimmerle stated that as mentioned by Commissioner Barry, she wanted to present the Resolution for the proposed overall DBE goal for federal fiscal years 2013 – 2015, which CDOT had established at 10.25% and confirmed that the goal would be submitted to FHWA on August 1<sup>st</sup>. She stated that she would be happy to answer any questions and asked for approval of the Resolution.

Commissioner Connell made a motion for approval of the item. Commissioner Ortiz seconded the motion. On a vote of the Commission, the following Resolution was unanimously approved.

**Resolution #TC-3004**

**To establish an overall goal for Disadvantaged Business Enterprise (DBE) participation for Federal Fiscal Years 2013 -2015**

**Approved by the Transportation Commission on: July 19, 2012**

WHEREAS, in accordance with 49 CFR Part 26, CDOT must establish an overall goal for Disadvantaged Business Enterprise (DBE) participation on all FHWA-funded contracts for Federal Fiscal Years 2013 -2015; and

WHEREAS, CDOT must follow the methodology established by 49 CFR Part 26 to establish the overall goal; and

WHEREAS, CDOT published its methodology and began the public comment process on May 31, 2012; and

WHEREAS, CDOT solicited public comments via public meetings, newspaper advertisements, and electronic mail; and

WHEREAS, on June 20, 2012 and July 18, 2012, CDOT presented to the DBE Committee and general public its recommendations for the overall goal; and

WHEREAS, the July 18, 2012 presentation provided the factual predicate required by the United States Department of Transportation in 49 CFR 26.45 for establishing the DBE overall goal; and

WHEREAS, after reviewing all feedback and comments received, no adjustments have been made to the initial 10.25% DBE goal recommendation; and

WHEREAS, 49 CFR Part 26 requires that the maximum feasible portion of the goal be met with race and gender neutral means.

NOW THEREFORE BE IT RESOLVED:

- On August 1, 2012, CDOT shall submit to FHWA an overall goal of 10.25% DBE participation on all FHWA-funded contracts, with 4.15% to be met with race and gender neutral means and 6.10% to be met with race conscious means.
- Following approval from FHWA, the overall goal for DBE participation on FHWA-funded contracts during Federal Fiscal Years 2013 - 2015 shall be 10.25%.

- CDOT shall strive to meet the overall goal for DBE participation by using race and gender neutral means and by setting contract goals in accordance with 49 CFR part 26.

Herman F. Stockinger III  
Herman Stockinger, Secretary  
Transportation Commission of Colorado

8-3-12  
Date

**Discuss and Act on the Resolution to approve Highways for Life Grant Funds to the Pecos Street Bridge to the Bridge Enterprise**



Ben Stein declared that the Highways for Life grant funds needed to be applied to the construction of the bridge replacement structure, and that the construction is scheduled to commence in August. He confirmed that the federal HfL funding is being transferred to the Bridge Enterprise for construction of the Pecos Street over I-70 ML bridge replacement project and asked that if there were no questions he would request approval of the Resolution.

Commissioner Rogers made a motion for approval of the item. Commissioner Peterson seconded the motion. On a vote of the Commission, the following Resolution was unanimously approved.

**Resolution Number TC-3005**

**Approving Transfer of HfL Grant from CDOT to Colorado Bridge Enterprise**

**Approved by the Transportation Commission on: July 19, 2012**

WHEREAS, the Transportation Commission is charged with formulating the general policy with respect to the management, construction and maintenance of public highways and other transportation systems in the State; and

WHEREAS, the Transportation Commission promulgates and adopts all budgets for the Colorado Department of Transportation (CDOT) and state transportation programs; and

WHEREAS, the General Assembly created the Bridge Enterprise as a government-owned business within CDOT, pursuant to 43-4-805 C.R.S.; and

WHEREAS, pursuant to 43-4-805 C.R.S., the Bridge Enterprise is to operate as a government-owned business within the Colorado Department of Transportation and shall constitute an "enterprise" for purposes of Section 20 of Article X of the Colorado Constitution so long as the Bridge Enterprise retains authority to issue revenue bonds and receives less than ten percent (10%) of its total annual revenues in grants, as defined in C.R.S. 24-77-102(7), from all State and local governments combined; and

WHEREAS, the business purpose of the Bridge Enterprise is to finance, repair, reconstruct, and replace designated bridges in the state; and

WHEREAS, the U.S. Department of Transportation awarded CDOT a Highways for Life (HfL) grant for the Pecos Street over I-70 ML bridge replacement project; and

WHEREAS, the federal award was based upon the deployment of innovative accelerated bridge construction techniques and usage of alternative contract delivery via Construction Manager / General Contracting consistent with FHWA every-day-counts initiative; and

WHEREAS, the HfL funding must be applied to the construction of the bridge replacement structure, and construction is scheduled to commence August 2012; and

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WHEREAS, the federal HfL funding is being transferred to the Bridge Enterprise for construction of the Pecos Street over I-70 ML bridge replacement project.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby appropriately transfers the federal HfL grant to Bridge Enterprise which shall be applied to the construction of the Pecos Street over I-70 ML bridge replacement project.

Herman F. Stockinger III  
Herman Stockinger, Secretary  
Transportation Commission of Colorado

8-3-12  
Date

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**Acknowledgements**

Chairman Parker declared that there were no acknowledgements of note.

### **Other Matters**

Chairman Parker stated that after discussion with the Commission members a Nominating Committee had been formed to select the Chair and Vice Chair for 2012-2013. He declared that Commissioners Connell, Gruen and Rogers had agreed to serve on the Nominating Committee.

### **Adjournment**

Chairman Parker announced that the meeting was adjourned at 10:35 a.m.

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Herman Stockinger, Secretary  
Transportation Commission of Colorado